



# MAYOR AND COUNCIL MEETING

## MAY 27, 2009

This Regular Meeting of the Mayor and Council of the Borough of Atlantic Highlands is called pursuant to the provisions of the Open Public Meetings Law. Adequate notice has been provided by transmitting the Resolution of Annual Meetings to the Asbury Park Press and the Two River Times and by posting it, in the Borough Hall on a bulletin board reserved for such announcements, and by filing it with the Municipal Clerk on 1/05/2009. This agenda is complete to the extent known and formal action will be taken.

1. Silent prayer
2. Pledge of allegiance
3. Roll call
4. Public Hearing - Community Block Grant
5. Reports – Council, Administration, Professional, Other
6. Public Comment Session - **[Please Stand, State your name and address and Speak loudly]**
7. Unfinished Business:
  - Ordinance 10-2009, Creating the Position of Assistant Harbor Master  
Public Hearing/Possible Adoption
8. New Business:
  - a. Resolution 093-09, Appointment of Assistant Harbor Master
  - b. Resolution 094-09, Authorization to Join NJ Sustainable Energy Joint Meeting
  - c. Resolution 095-09, Supporting State House Commission -Pre Application to NJDEP - Diversion
  - d. Resolution 096-09, Authorizing Destruction of Unneeded Personal Property
  - e. Resolution 097-09, Cancelling Accounts Payable
  - f. Resolution 098-09, Payment of Bills
  - g. Resolution 099-09, Opposing Governor's Plan on EMT Training Fund [NEW]
  - h. Ordinance 11-2009, \$7,000,000 Bond Ordinance- Municipal Improvements  
Introduction/First Reading
9. Public Comment Session -**[Please Stand, State your name and address and Speak loudly]**
10. Adjourn



## MINUTES OF THE MAYOR AND COUNCIL REGULAR MEETING OF MAY 27, 2009

The Regular Meeting of the Mayor and Council, of the Borough of Atlantic Highlands, was held on May 27, 2009 in the public meeting room of Borough Hall, 100 First Avenue Atlantic Highlands NJ.

Mayor Rast called the meeting to order at 7:00 PM. After a silent prayer and the Pledge of Allegiance, the following roll call was taken: Council members Archibald, Dellosa, Doyle, Fligor, Hoffmann and Sutton. Administrator Hubeny, Borough Attorney Reilly, Borough Engineer David Marks of T & M Associates and Municipal Clerk Harris were also present.

Mr. Harris stated that notice of this meeting has been transmitted to the Asbury Park Press and the Courier, continuously posted in the Borough Hall on a bulletin board reserved for such announcements, and filed with the Municipal Clerk of Atlantic Highlands, on 1/05/2009. He read the "Open Public Meetings Act" compliance statement and stated that formal action would be taken.

### **PUBLIC HEARING - Community Development Block Grant**

Administrator Hubeny reported that the Citizens Participation Group had met regarding the Community Block Grant, which is a HUD grant administered by Monmouth County. There are certain areas in Atlantic Highlands which meet the qualifications and criteria, and are known as Eligible Areas for Improvement. The entire Borough is open to ADA improvements. Two years ago, the Borough received grants from Community Block to complete the entire program in Woodland Park, East Avenue, Simpson Avenue and Wesley Avenue.

This year the Citizens Participation Group met and considered three projects:

1. A Phase II project in Woodland Park which would do all of the intersections on Navesink and East Avenues, to comply with ADA along with the repaving of East Washington Avenue from Grand Avenue to East Avenue, estimated to cost \$427,000.00
2. The ADA Improvements for Borough Hall which has scheduling problems in relation to the funding cycle and the project approval date.
3. The Center Median on Route 36 - but Mr. Marks, our engineer and his group [T&M Associates] have already submitted a Transportation Enhancement Grant, under some of the stimulus money that is out there and available.

No members from the general public came to the meeting to make requests or offer suggestions. The Citizens Participation Group is recommending that the Borough go with the Phase II project for Woodlands Park, with the maximum amount of money being available from the grant is \$250,000.00.

Councilman Doyle commented that we would be keeping the Community Block grants for the streets instead of trying to divide up this building [Borough Hall] into sections.

Administrator Hubeny responded that it is consistent with what the Borough has done over the past ten years. The 2005, 2007 and now the 2010 program will be dedicated to the streets.

Councilmember Archibald questioned the amount not covered by the grant in consideration to the completion of the project.

Administrator Hubeny replied that you have options to include the balance in a road program or provide matching funds which is desirable to Community Block.

Mayor Rast questioned what additional costs would be incurred.

Administrator Hubeny told him there would be engineering costs which could be incorporated in with the 2010 road program. The Grant would cover hard [construction] costs, not the soft [engineering, legal] costs. The award is announced in September/October, memorialized by the

Freeholders usually in December and then HUD has to enter into a master contract with the County.

*[There was some ancillary discussion regarding east Highland running into Sears Avenue and which portions of Sears Ave were owned by the Borough.]*

A motion to open the Public Hearing was made by Council member Fligor and it was seconded by Council member Sutton and was unanimously approved.

No one from the audience came forward with questions or comments.

A motion to close the Public Hearing was made by Council member Archibald; it was seconded by Council member Dellosso and was unanimously approved

## **REPORTS - COUNCIL MEMBER, COMMITTEE, PROFESSIONAL**

Council member Dellosso reported that for the month of April, the library circulated 3500 items which is a lot. He commented that the PBA Ball and the Memorial Day Parade were both excellent events that were very well attended.

Council member Sutton reported on the Seventh Ave under drain bids are due back on June 6<sup>th</sup> at 10:00am. The project should take about six weeks to complete and will begin after July Fourth. He reported that the TOMSA flows for the month of April were 46.3% which is pretty consistent with number from previous years.

Council member Fligor reported on conference call had with himself, Administrator Hubeny, Robert Dougherty and NJNG. We are currently working out who will pay for what in regards to the preparation and decontamination of the area so the storm sceptors can be installed. He also sat in with the Sewerage Authority and was not impressed with what happened at the last meeting. Millions have been spent to fix problems with our system. We have taken out 80,000 gallons out of the system and we get 14 edu. Highlands gets \$600,000 work of work done and gets 171 edu. What's wrong with that picture? He does not agree with it. The math does not work out. Also what was upsetting was the way that certain people, not associated with the Borough acted. He also reported that the Monmouth County Mosquito Commission will be spraying in the Leonard Ave area between June 1<sup>st</sup> and June 19<sup>th</sup>. He commented that the Fire Marshall would like the Borough to support a program to promote retention and recruitment of local volunteers by having federal funds match contributions made by local governments to retirement programs. He reported on the Genevieve M Hawley Memorial Foundation Annual fundraising luncheon on June 6<sup>th</sup> and encouraged everyone to attend.

Council member Doyle on behalf of the American Legion thanked everyone for their participation in the Memorial Day Parade.

Council member Hoffmann reported that the boats are being moved in the Harbor and things are going smoothly. He reported on the gaining popularity of the Trail. His concern was that as the people come off the trail, they go through the boat yard. In the future fencing will be put up to prevent that. He reported the Fireman's fair will begin June 30 through July 4<sup>th</sup> with the Fireworks being held on the 2<sup>nd</sup>.

Council member Archibald reported that Summer Recreation signups will be soon. There will be two hockey field camps, two bus trips and one to a rodeo in Vineland. He reported they will also be showing two films in the Harbor this summer. The Garage Sale was well run and a great success. He suggested next year we consider blocking off streets to alleviate some of the vehicle traffic, and encourage foot traffic. He also gave compliments to the center Ave park and how well it is coming along. He would also like to encourage an Open Space Grant application that could be utilized for the Conifer ball fields.

Administrator Hubeny reported that Planning Board attorney, Michael Steib was gracious enough to give the Borough a 25% reduction in his billing fees, in consideration of the stressful economic conditions.

Chief Vasto made some comments on the Bayshore trail signs along Avenue D and how the County although they do not encourage it, would not object to the Borough putting up signs, but would not put up any of their own due to liabilities. There were further discussions of how the Borough might incorporate signage along Avenue D to direct travelers to the Bayshore Trail.

Administrator Hubeny reported that he and the Chief had a meeting with David Compton and Jeff Szelk of the County Park System who explained their rules and regulations, the patrolling and maintenance of their County parks. This all will come into play when the punch list is done and the trail is decided over to the County, which should happen in late July. He also reported that the Clean Shore Program was in and took out over 20 tons of material.

Municipal Clerk Harris reported that he had received a document scanning station from the County in conjunction with the PARIS Grant program. He also reported that the County will be opening an additional 100 cubic feet of archival storage for Borough records. He also reported that the newsletter was completed and will be in the mail tomorrow. The Borough web site is also in the process of being redesigned by our host company Zumu software.

Engineers Marks reported that NJ DOT grants application are in the works for the year 2010. The projects in consideration are Streetscape IV which would go into the Harbor and the beautification of the Memorial Pkwy center median.

Chief Vasto reported that the department received a Cannondale bike from a grant and was one of 101 departments to receive one.

## **PUBLIC COMMENT SESSION**

Marilyn Scherfen - 55 Avenue D thanked everyone for their help and support with the PBA Ball. A portion of the proceeds will be donated to the library.

Ed Cetron thanked the governing body for their support of the EMT by passing Resolution 099-09.

Jane Frotton - Memorial Parkway asked if there was a problem with the County mailing the Sample Ballots, she had not received hers.

## **UNFINISHED BUSINESS**

### **ORDINANCE 10-2009, CREATING THE POSITION OF ASSISTANT HARBOR MASTER**

A motion to open the Public Hearing was made by Council member Sutton and it was seconded by Council member Fligor and was unanimously approved.

Jane Frotton - Chairman of the Harbor Commission commented that this is giving them an opportunity to enhance their staff in the Harbor and bring the operations into the 21<sup>st</sup> Century. This position will not cost the Borough more than \$10,000 due to the reorganization of staff and responsibility.

A Motion to close the Public Hearing was made by Council member Sutton; it was seconded by Council member Archibald and was unanimously approved

After the Public Hearing Council member Archibald moved for Final Adoption of this Ordinance. It was seconded by Council member Dellosso and adopted by the following vote:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS: None

ABSTAIN: None

ABSENT: None

**NEW BUSINESS:**

**RESOLUTION 093-09, APPOINTMENT OF ASSISTANT HARBOR MASTER**

This Resolution was offered and moved by Council member Archibald, seconded by Council member Hoffmann and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

**RESOLUTION -094-09, AUTHORIZATION TO JOIN NJ SUSTAINABLE ENERGY JOINT MEETING,**

This Resolution was offered and moved by Council member Archibald, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

**RESOLUTION 095-09, SUPPORTING STATE HOUSE COMMISSION -PRE APPLICATION TO NJDEP - DIVERSION,**

This Resolution was offered and moved by Council member Fligor, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

**RESOLUTION 096-09, AUTHORIZING DESTRUCTION OF UNNEEDED PERSONAL PROPERTY,**

This Resolution was offered and moved by Council member Doyle, seconded by Council member Archibald and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

**RESOLUTION 097-09, CANCELLING ACCOUNTS PAYABLE,**

This Resolution was offered and moved by Council member Archibald, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

**RESOLUTION 098-09, PAYMENT OF BILLS,**

This Resolution was offered and moved by Council member Archibald, seconded by Council member Sutton and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

May 27, 2009

**RESOLUTION 099-09, OPPOSING GOVERNOR'S PLAN ON EMT TRAINING FUND,**

This Resolution was offered and moved by Council member Hoffmann, seconded by Council member Archibald and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

**ORDINANCE 11-2009, \$7,000,000 BOND ORDINANCE- MUNICIPAL IMPROVEMENTS**

This Ordinance was read by title. Council member Fligor introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Dellosso and approved by the following vote.

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

The Second Reading, Public Hearing and possible adoption is scheduled for June 10, 2009.

**PUBLIC COMMENT SESSION**

Joseph Hawley - 25 Ocean Blvd commented that former Mayor Harmon has friends in the State House Commission that might be helpful in the Green Acres Diversion.

Jim Krauss - 77 Bayside Drive commented that he supports the bond ordinance discussed and is also in support of the municipal budget as well.

**ADJOURN** - There being no further business before the Mayor and Council, Council member Sutton moved to adjourn the meeting at 8:42 PM, the motion was seconded by Council member Archibald and was unanimously approved.

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A motion to approve these minutes was made by council member Sutton. It was seconded by council member Dellosso. The motion carried by the following roll call vote:

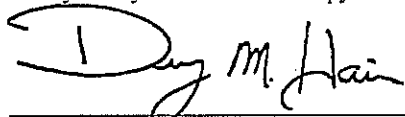
AYES: Council members Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS: None

ABSTAIN: None

ABSENT: Councilman Archibald,

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held June 10, 2009.



Dwayne M. Harris, RMC, CMR  
Municipal Clerk



# ORDINANCE 10-2009

## CREATING THE OFFICE OF ASSISTANT HARBOR MASTER

WHEREAS the Borough of Atlantic Highlands and the Atlantic Highlands Harbor Commission desire to create the position of Assistant Harbor Master, in an effort to provide continuity in operations in the absence of the Harbor Master.

WHEREAS Borough policy states "no person shall be employed or promoted unless there exists a position created by ordinance, adopted by the Mayor and Council of the Borough of Atlantic Highlands as well as the necessary budget appropriation and salary ordinance.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey that the position of Assistant Harbor Master, which is an "at will" management position, is hereby created as follows:

### **JOB REQUIREMENTS -**

The individual hired for this position should have excellent communication skills, both verbal and written; a sound knowledge of pleasure boating; a good understanding of operating a business for profit; development and preparation of municipal budgets, computer knowledge, basic knowledge of marina construction work as well as knowledge of general construction procedures. They must have a pleasant personality and the ability to deal with the public as well as the employees of the Municipal Harbor. The individual must have the ability to listen to complaints and comments and know how to handle them without becoming confrontational. The individual shall work cooperatively with the Harbormaster and report directly to the Harbormaster or in his absence the Borough Administrator.

### **HIRING-**

The individual will be hired by the Borough Administrator, as per the Atlantic Highlands Personnel Policy, after all interviews and comments have been received by all involved in the interviewing process. The position of Assistant Harbormaster is an "at will" management position.

### **SCHEDULE / HOURS-**

The individual hired for this position shall work during the following scheduled times:

April 1st through November 30th - Tuesday through Saturday

December 1st through March 31st -the schedule **may** change to Monday-Friday at the discretion of the Harbor Master and/or the Harbor Commission.

Summer holidays to be determined.

Schedule is subject to change at any time when the Harbormaster is away from office on business and/or on approved leave.

Hours: The normal work day for Administrative Departments is an 8 hour day. Regular hours are from 8:30 a.m. to 4:30 p.m. with a ½ hour for lunch. Employees are entitled to 2 – 15 minute breaks; one in the morning and one in the afternoon.

Commission Meetings: Attendance at selected Harbor Commission meetings will be necessary along with attending special committee meetings when required. No overtime or compensatory time will be paid or accrued. An adjustment to the schedule may be made for the specific day only.

### **DUTIES & RESPONSIBILITIES [Include but are not limited to]:**

#### **Office work:**

1. Work with Utility Collector on slip/mooring assignments for season.
2. Maintains Waiting List and solicit customers for vacancies.

3. Answer telephone as first responder when in office.
4. Assist Utility Collector with other office work as required.
5. Transient dockage reservations and follow up.
6. Become familiar with Municipal Purchasing regulations. (Should attend a course on this at some point).
7. Learn procedures for handling money drops from Fuel Dock and Launching Booth.
8. Learn bank deposit procedures.
9. Work with Harbormaster on budget preparation.

**Marina work:**

1. Walk piers and look for problems.
2. Learn Fuel Dock operation.
3. Schedule season launching in consultation with Harbormaster, Dockmaster and Assistant Dockmaster.
4. Schedule haul outs in consultation with Harbormaster, Dockmaster and Assistant Dockmaster
5. Schedule other hoist work in consultation with Harbormaster, Dockmaster and Assistant Dockmaster.
6. Monitor dockage customers' electric use.
7. Work with Harbormaster on marina maintenance work and new construction projects.
8. Work with Harbormaster on dredging issues.
9. Monitor outside contractors for insurance compliance and fee payment.
10. Become familiar with sources for marina construction and repair materials.
11. Become familiar with Atlantic Highlands Harbor operations, both marina and non-marina related.

**Customer Service/Security:**

1. Maintain schedule for personnel.
2. Review applications and sit in on potential employee interviews with administrator and Harbormaster.
3. Become familiar with Customer Service/Security operations.
4. Monitor personnel performance for compliance with duties.
5. Monitoring of Clean Marina enforcement.

The Assistant Harbormaster shall assist with any and all other duties and responsibilities that may be assigned.

During the absence or disability of the Harbormaster, the Assistant Harbormaster shall have all the powers of the Harbormaster and shall perform the functions and duties of such office.

**COMPENSATION/BENEFITS-**

The salary shall be established in the Salary Ordinance. No overtime or compensatory time will be paid or accrued for this position. This is not a PERS covered position, and the person filling this position will be qualified to participate in the Defined Contribution Retirement Plan, as established under the rules and regulations of the New Jersey Division of Pension and Benefits. See Personnel Policy Manual for more detailed employee benefits and explanations.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage.



Council member Fligor introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Hoffman and approved by the following vote.

AYES: Council members Fligor, Hoffmann and Sutton

NAYS: NONE

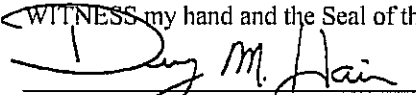
ABSTAIN: NONE

ABSENT: Council members Archibald, Dellosso and Doyle,

The Second Reading, Public Hearing and possible adoption is scheduled for May 27, 2009.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 13, 2009.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 15th day of May 2009.

  
Dwayne M. Harris, RMC

On May 27, 2009, after a Public Hearing and Second Reading, Council member Archibald moved for Final Adoption of this Ordinance. It was seconded by Council member Dellosso and adopted by the following vote:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

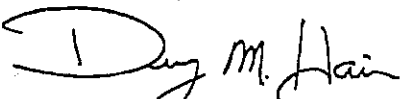
NAYS: None

ABSTAIN: None


ABSENT: None

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

  
Dwayne M. Harris, RMC

DATE OF MAYORS APPROVAL: May 29, 2009

  
Frederick J. Rast, III, Mayor



# RESOLUTION 093-2009

## APPOINTING JOHN AMICI TO THE POSITION OF ASSISTANT HARBOR MASTER

WHEREAS the Ordinance 10-2009 adopted by the Borough of Atlantic Highlands on May 27, 2009 created the position of Assistant Harbor Master, in an effort to provide continuity of operations, at the Atlantic Highlands Municipal Harbor, in the absence of the Harbor Master.

WHEREAS, the Harbor Commission and Borough Administrator have interviewed seven candidates after receiving twenty seven resumes` from prospective hires;

WHEREAS, after all comments had been received, by all involved in the interviewing process, the Borough Administrator recommends the appointment of John Amici, Captain of the Atlantic Highlands Police Department, who will be retiring from service effective May 31, 2009; and,

WHEREAS, N.J.S.A 40A: 60-5 provides that the Mayor nominate, and with the advice and consent of Council, appoint all subordinate officers of the Borough; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey that the appointment of John Amici to the position of Assistant Harbor Master, effective June 01, 2009, at the rate of \$40,000.00 per year, is hereby confirmed.

BE IT FURTHER RESOLVED Ordinance 10-2009 outlines all other requirements, stipulations and benefits applicable to this appointment.

This Resolution was offered and moved by Council member Archibald, seconded by Council member Hoffmann and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M, Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

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Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 094-2009

## AUTHORIZATION TO JOIN NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING

**WHEREAS**, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and,

**WHEREAS**, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and,

**WHEREAS**, the governing body of the Borough of Atlantic Highlands has determined that membership in the Joint Meeting is in the best interest of the Borough of Atlantic Highlands.

**NOW THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Atlantic Highlands does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Adam Hubeny, Borough Administrator is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM, and make payment of the Initial Membership Fee of \$600 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

This Resolution was offered and moved by Council member Archibald, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

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Dwayne M. Harris, RMC  
Municipal Clerk



## **RESOLUTION 095-2009**

### **RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION PRE-APPLICATION TO THE NJDEP GREEN ACRES PROGRAM FOR MUNICIPAL BUILDING RENOVATION AND NEW LIBRARY CONSTRUCTION DIVERSION / RELOCATION OF PROPERTY BLOCK 98, LOT 5**

WHEREAS, Block 98, Lot 5 is part of the Borough of Atlantic Highlands Library Plaza which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed Municipal Building Renovation and New Library Construction, it is necessary to remove the Green Acres restrictions from a .10 acre portion of Library Plaza; and

WHEREAS, the removal of Green Acres restriction from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the Borough of Atlantic Highlands wishes to apply for approval for Municipal Building Renovation and New Library Construction, as a minor disposal or diversion of parkland under N.J.A.C. 7:36-26; and

WHEREAS, the first step in the application process for approval of a minor disposal or diversion of parkland is the filing of a pre-application under N.J.A.C. 7:36-26.4; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.4 (d) 10, it is necessary for Borough of Atlantic Highlands to submit as part of the pre-application a Resolution endorsing the application to divert or dispose or parkland;

NOW THEREFORE, BE IT RESOLVED by the Atlantic Highlands Governing Body) of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey as follows:

1. The Borough of Atlantic Highlands endorses the filing of a pre-application for the diversion of Library Plaza for the purpose of Municipal Building Renovation and New Library Construction, pursuant to N.J.A.C. 7:36-26;
2. The Borough of Atlantic Highlands hereby finds that the Library Plaza would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by allowing much needed space in a renovated Borough Hall, an increased public library from 1800 square feet to 4000 square feet, easier access to all Borough offices and a building that is ADA compliant by moving the .10 acre already on Block 98, Lot 5 to the south, to an area still on the same block and lot to the west of the municipal building. By moving the Library Plaza to a different location within the same block and lot, this will have significant public benefit;
3. The Borough of Atlantic Highlands acknowledges that in order to obtain the approval of Library Plaza diversion, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.5; and
4. The Borough of Atlantic Highlands acknowledges that in the event the Green Acres Program classifies the Library Plaza diversion as a major disposal or diversion of parkland, additional application information will be required under N.J.A.C. 7:36-26 before the application can proceed.

This Resolution was offered and moved by Council member Fligor, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M, Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

A handwritten signature in black ink that reads "Dwayne M. Harris". The signature is written in a cursive style with a large initial "D".

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Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 096-2009

## AUTHORIZING THE DESTRUCTION OF UNNEEDED PERSONAL PROPERTY

WHEREAS, the Atlantic Highlands Fire Dept has determined that certain equipment is unfit for use and is a threat to the safety and welfare of the members of the Atlantic Highlands Fire Dept; and,

WHEREAS N.J.S.A. 40A: 11-9 permits the purchasing agent to arrange, after governing body approval, for the disposal of surplus materials and equipment either by transfer to other municipal agencies or by public sale; and,

WHEREAS due to the nature and use of the equipment in question, it has been determined that transfer or sale of the equipment is impractical due to its potential to cause harm to the recipient.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the Atlantic Highlands Fire Dept. has authority to destroy following equipment, due to its potential threat to the safety and welfare of members in the department:

1. 1 pair of 9 ½ medium Ranger rubber boots
2. 4 Cairns helmets - style -STD990 [Yellow] - numbered 7;1;29 ; unmarked
3. 2 pair Cairns pants - medium #7; extra large #21
4. 1 Cairns jacket - medium #7
5. Janesville pants - model PSLM- size 38 regular - name -Mount

BE IT FURTHER RESOLVED that the above named articles shall be cut entirely in half, by whatever means effective, and destroyed.

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to the Chief of the Atlantic Highlands Fire Department and the Chief Financial Officer as a record of disposal of Borough assets.

This Resolution was offered and moved by Council member Doyle, seconded by Council member Archibald and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M, Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

Dwayne M. Harris, RMC  
Municipal Clerk



# RESOLUTION 097-2009

## AUTHORIZING THE CANCELLATION OF ACCOUNTS PAYABLE

WHEREAS, there exists various outstanding accounts payable on the books of the Tax Lien Account for the Borough of Atlantic Highlands; and,

WHEREAS the various purchase orders, contracts and checks issued creating these accounts payable have been investigated, and it has been determined that they should be cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Atlantic Highlands, County of Monmouth, State of New Jersey, that the following accounts payable, in the amount of \$30.00 be and are hereby cancelled:

<b>P.O. /Check #</b>	<b>Date</b>	<b>Vendor/Payee</b>	<b>Amount</b>
Ck #1052	09/19/2007	D. Biondolillo	\$30.00

BE IT FURTHER RESOLVED that all surplus monies shall be transferred to the general accounts of the Borough of Atlantic Highlands.

BE IT FURTHER RESOLVED that should the vendor, payee or surety make a claim for the same, the Borough will forthwith honor the claim and transfer the proper sum to the appropriate accounts for disbursement. .

This Resolution was offered and moved by Council member Archibald, seconded by Council member Dellosso and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

\_\_\_\_\_  
Dwayne M. Harris, RMC  
Municipal Clerk



## RESOLUTION 098-2009

### PAYMENT OF BILLS

WHEREAS, certain numbered vouchers have been submitted to the Borough of Atlantic Highlands for payment from a list prepared and dated May 21, 2009 which totals as follows:

Current Fund	\$765,820.13
Capital Fund	\$7,585.00
Trust-Other	\$586.00
Water/Sewer Operating Fund	\$140,959.52
Water /Sewer Utility Capital	\$36,122.80
Harbor Operating Fund	\$93,141.23
Harbor Utility Capital Fund	\$0
Federal/State Grants	\$980.18
NJ Unemployment Trust Fund	\$0
Animal	\$0
Salary	\$0
TOTAL	<u>\$1,045,194.86</u>

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, that these vouchers, totaling \$1,045,194.86 be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills submitted has been posted on the bulletin board and is also on file in the Municipal Clerk's office for reference.

This Resolution was offered and moved by Council member Archibald, seconded by Council member Sutton and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

Dwayne M. Harris, RMC  
Municipal Clerk



## List of Bills - CLAIMS

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Vendor	Description	Payment	Check Total
100081 - A. R. COMMUNICATIONS	PO 98676 FIRE DEPARTMENT - SUPPLIES	193.90	193.90
66 - A.C. SCHULTES, INC.	PO 97553 RESOLUTION #137-2008	36,122.80	36,122.80
1005 - ACE AUTO TOP	PO 98291 VEHICLE MAINTENANCE - WATER DEPT	185.00	185.00
1370 - ALLIED OIL COMPANY, L.L.C.	PO 98785 HARBOR GASOLINE & DIESEL	20,507.19	
	PO 98702 HARBOR GASOLINE & DIESEL	11,264.97	
	PO 98759 HARBOR - DIESEL FUEL	3,364.36	
	PO 98756 HARBOR - DIESEL FUEL	11,079.89	46,216.41
94 - ASBURY PARK PRESS	PO 98786 LEGAL ADVERTISEMENT	103.04	103.04
2710 - ATLANTIC BAGEL CO.	PO 98645 CLEAN SHORES	696.00	696.00
478 - ATLANTIC HIGHLANDS ELEMENTARY	PO 98769 SCHOOL TAX	330,910.00	330,910.00
65 - ATLANTIC HIGHLANDS/HIGHLANDS	PO 98766 W/S FEES	70,774.00	70,774.00
100082 - ATLANTIC MARINE SUPPLY	PO 98539 HARBOR - SUPPLIES	131.94	
	PO 98695 HARBOR -SUPPLIES	92.95	
	PO 98591 HARBOR - SUPPLIES	50.53	275.42
2247 - ATX TELECOMMUNICATIONS	PO 98764 PHONE SERVICE	183.14	
	PO 98770 PHONE SERVICE	570.63	
	PO 98764 PHONE SERVICE	1,994.62	2,748.39
2327 - AVAYA, INC.	PO 98765 TELEPHONE MAINTENANCE	455.35	455.35
2815 - BIRDSALL ENGINEERING, INC.	PO 96486 ENGINEERING - RESOLUTION #102-2008	7,525.00	7,525.00
135 - BITTNER & CARTON INS. AGENCY	PO 98758 HARBOR - INSURANCE	6,285.00	6,285.00
44 - BOB'S UNIFORM SHOP, INC.	PO 98706 POLICE - UNIFORMS	16.00	16.00
1694 - CAPMARK FINANCE INC.	PO 98754 PRINCIPAL ON LOANS	29,525.06	29,525.06
2181 - COMCAST PROCESSING CENTER	PO 98763 VEHICLE MAINTENANCE - MISC	59.14	59.14
2373 - CONNER STRONG RISK CONTROL	PO 98644 LIBILITY INSURANCE	6,000.00	6,000.00
108 - DREW INDUSTRIAL DIVISION	PO 98395 B&G - CONTRACTURAL	418.30	418.30
2493 - FBI/LEEDA	PO 98573 POLICE - DUES	50.00	50.00
2614 - GATEWAY PRESS, LLC	PO 98584 PRINTING	280.00	
	PO 98584 PRINTING	40.00	
	PO 98554 OFFICE SUPPLIES	157.00	477.00
2454 - GE CAPITAL	PO 98727 COPIER LEASE	529.40	529.40
77 - GEORGE S. COYNE CHEMICAL CO.	PO 98687 W/S CHEMICALS	1,604.50	1,604.50
100289 - GERARD T. GAGLIANO	PO 98755 FINANCE - PROFESSIONAL DUES/SEMINAR	461.70	461.70
100434 - GIORDANO HALLERAN & CIESLA, PA	PO 98713 HARBOR - LEGAL	1,000.00	1,000.00
100434 - GIORDANO HALLERAN & CIESLA, PA	PO 98714 HARBOR - LEGAL	1,000.00	1,000.00
127 - HENRY HUDSON REGIONAL	PO 98767 SCHOOL TAXES	274,277.83	274,277.83
1242 - HENRY HUDSON REGIONAL SCHOOL	PO 98798 DRUG EDUCATION - MISCELLANEOUS	4,328.00	4,328.00
100591 - INCISIVE MEDIA	PO 98266 ADMIN - MISC	265.25	265.25
1148 - JB LANDSCAPING, INC.	PO 98624 STREETS - PARTS/SUPPLIES	75.90	75.90
68 - JCP&L	PO 98768 ELECTRIC SERVICE	2,959.34	
	PO 98768 ELECTRIC SERVICE	123.47	3,082.81
3122 - JEFFREY R. SURENIAN AND ASSOC. LLC	PO 98790 CONFLICT COUNSEL	1,606.29	1,606.29
100349 - KATHLEEN A. CHIEFFO	PO 98797 MUNICIPAL COURT - COURT ASSISTANCE	125.00	
	PO 98762 MUNICIPAL COURT - ASSISTANCE	162.50	287.50
1101 - KELLY BUILDING MAINTENANCE	PO 98719 B&G - CONTRACTURAL	1,290.00	1,290.00
100611 - KELLY VEGELIS	PO 98707 SECURITY DEPOSIT - FIELD HOUSE	100.00	100.00
100001 - LEXIS NEXIS	PO 98559 ADMIN - PUBLICATIONS	61.00	61.00
3107 - LOR DOC LOCKSMITH	PO 98585 W/S - REPAIRS	144.00	144.00
2829 - MARPAL COMPANY	PO 98788 LANDFILL FEES	975.27	
	PO 98731 LANDFILL FEES	472.41	1,447.68
100380 - MAYDA LYON	PO 98761 MUNICIPAL COURT - INTERPERETER	435.00	435.00
2084 - MICHAEL B. STREIB, P.A.	PO 98789 PLANNING BOARD - LEGAL	486.00	
	PO 98789 PLANNING BOARD - LEGAL	4,598.92	5,084.92
100608 - MICHAEL BERGER	PO 98655 POLICE -UNIFORMS	37.72	37.72
1741 - MICKEY BENOIT, INC.	PO 98708 RECYCLING	2,480.00	2,480.00
123 - MONMOUTH COUNTY TREASURER	PO 98730 LANDFILL FEES	8,220.11	8,220.11
60 - N.J. NATURAL GAS COMPANY	PO 98760 GAS SERVICE	920.29	
	PO 98732 ELECTRIC	402.63	
	PO 98732 ELECTRIC	2,881.74	4,204.66
18 - NAYLORS INC.	PO 98726 W/S - SUPPLIES	164.08	164.08
1880 - ON-SITE TIRE SERVICE, INC.	PO 98629 VEHICLE MAINTENANCE - HARBOR - TRAC	1,220.00	1,220.00
1699 - ONE CALL SYSTEMS, INC.	PO 98718 W/S - TELEPHONE	38.50	38.50
51 - OSWALD ENTERPRISES, INC.	PO 98701 HARBOR REPAIRS	700.00	700.00

**List of Bills - CLAIMS**

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Vendor	Description	Payment	Check Total
2390 - PAUL BOYD	PO 98673 ENVIRONMENTAL COMMISSION - MISC	60.00	60.00
942 - PENSION ADJUSTMENT FUND	PO 98787 P.E.R.S.	1,763.06	1,763.06
100430 - PLANNING DESIGN COLLABORATIVE, LLC	PO 98771 PLANNING BOARD - CONTRACTURAL	970.00	
	PO 98757 PLANNING BOARD - CONTRACTURAL	1,022.50	1,992.50
50 - POSTMASTER ATLANTIC HIGHLANDS	PO 98724 ADMIN - MISC	364.70	364.70
2310 - POWERHOUSE SIGNWORKS	PO 98424 RECREATION - MISC	150.00	
	PO 98642 SIGNS - BAYSHORE TRAIL	60.00	210.00
41 - SCOLAS FLOORSHINE INDUSTRIES	PO 98613 B&G SUPPLIES	281.62	281.62
1503 - SHORE CASINO	PO 98690 Mayor & Council	100.00	100.00
81 - SNAP ON TOOLS	PO 98529 VEHICLE MAINTENANCE - SHOP SUPPLIES	200.55	200.55
2599 - SUZANA MARTINEZ	PO 98796 MUNICIPAL COURT - INTERPRETER	130.00	130.00
1588 - THE BANK OF NEW YORK	PO 98753 INTEREST ON BONDS	37,815.14	37,815.14
1588 - THE BANK OF NEW YORK	PO 98753 INTEREST ON BONDS	110,237.69	110,237.69
1588 - THE BANK OF NEW YORK	PO 98753 INTEREST ON BONDS	36,437.18	36,437.18
516 - THE TWO RIVER TIMES	PO 98678 LEGAL PUBLICATIONS	27.36	
	PO 98692 HARBOR - LEGAL NOTICE	7.22	
	PO 98678 LEGAL PUBLICATIONS	4.18	38.76
201 - WEST PAYMENT CENTER	PO 98725 PUBLICATIONS	1,331.00	1,331.00
100305 - WILLIAM'S WELDING CO.	PO 98675 FIRE DEPARTMENT - REPAIRS	1,050.00	1,050.00
TOTAL			1,045,194.86

Total to be paid from Fund 01 CURRENT FUND	765,820.13
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	980.18
Total to be paid from Fund 04 CAPITAL FUND	7,585.00
Total to be paid from Fund 12 TRUST - OTHER	586.00
Total to be paid from Fund 28 WATER/SEWER OPERATING FUND	140,959.52
Total to be paid from Fund 29 WATER/SEWER UTILITY CAPITAL	36,122.80
Total to be paid from Fund 30 HARBOR OPERATING FUND	93,141.23
	-----
	1,045,194.86

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>CURRENT FUND</b>					
<b>10500000</b>					
REGIONAL SCHOOL TAXES PAYABLE			TOTAL FOR 01-206-55-000-000		274,277.83
98767 HENRY HUDSON REGIONAL			SCHOOL TAXES FOR JUNE 2009	274,277.83	
LOCAL SCHOOL TAXES PAYABLE			TOTAL FOR 01-207-55-000-000		330,910.00
98769 ATLANTIC HIGHLANDS ELEMENTARY			SCHOOL TAX JUNE 2009	330,910.00	
TOTAL for 10500000					605,187.83
<b>General Administration</b>					
OFFICE SUPPLIES			TOTAL FOR 01-201-20-100-201		157.00
98554 GATEWAY PRESS, LLC			REGULAR BOROUGH ENVELOPES	68.00	
98554 GATEWAY PRESS, LLC			TIME OFF REQUESTS	89.00	
PUBLICATIONS			TOTAL FOR 01-201-20-100-207		1,392.00
98559 LEXIS NEXIS			NJ ADM T13 3/09-2/10	61.00	
98725 WEST PAYMENT CENTER			NJ STAT 2009 PP & INDEX (A-Z) - NJ STAT	992.00	
98725 WEST PAYMENT CENTER			ANNO GENERAL INDEX A-E	113.00	
98725 WEST PAYMENT CENTER			ANNO GENERAL INDEX F-O	113.00	
98725 WEST PAYMENT CENTER			ANNO GENERAL INDEX P-Z	113.00	
LEASE OF COPIERS			TOTAL FOR 01-201-20-100-285		529.40
98727 GE CAPITAL			COPIER LEASE MAY 2009 BILLING ID 9013357	529.40	
MISCELLANEOUS			TOTAL FOR 01-201-20-100-299		629.95
98266 INCISIVE MEDIA			2009 NJ LOCAL GOVT DESKBOOK	259.90	
98266 INCISIVE MEDIA			SHIPPING	5.35	
98724 POSTMASTER ATLANTIC HIGHLANDS			2ND QTR 2009 NEWSLETTER POSTAGE	364.70	
TOTAL for General Administration					2,708.35
<b>10510200</b>					
MISCELLANEOUS			TOTAL FOR 01-201-20-102-299		4,328.00
98798 HENRY HUDSON REGIONAL SCHOOL			1/2 PAYMENT OF MUNICIPAL ALLIANCE PROGRA	4,328.00	
TOTAL for 10510200					4,328.00
<b>Mayor &amp; Council</b>					
PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-110-204		40.00
98584 GATEWAY PRESS, LLC			INVITES & ENVELOPES	40.00	
MISCELLANEOUS			TOTAL FOR 01-201-20-110-299		100.00
98690 SHORE CASINO			MAYOR'S BUSINESS SUMMIT	100.00	
TOTAL for Mayor & Council					140.00
<b>Municipal Clerk</b>					
LEGAL PUBLICATIONS			TOTAL FOR 01-201-20-120-203		103.04
98786 ASBURY PARK PRESS			7TH AVENUE UNDERDRAIN BID AD	103.04	
TOTAL for Municipal Clerk					103.04
<b>Finicial Administration</b>					
PROFESSIONAL DUES/SEMINARS			TOTAL FOR 01-201-20-130-204		461.70
98755 GERARD T. GAGLIANO			TRAVEL TO BOONTEN - CFO CLASS	446.40	
98755 GERARD T. GAGLIANO			TOLLS TO BOOTEN	15.30	
TOTAL for Finicial Administration					461.70
<b>Legal Services</b>					
LEGAL - COAH			TOTAL FOR 01-201-20-155-221		1,606.29

**List of Bills (Department/Account Detail) - CLAIMS**

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>Legal Services</b>					
	98790	JEFFREY R. SURENIAN AND ASSOC. LLC	NOVEMBER 2008 SERVICES	1,989.59	
	98790	JEFFREY R. SURENIAN AND ASSOC. LLC	LESS OCTOBER 2008 CREDIT	-383.30	
					=====
		<b>TOTAL for Legal Services</b>			<b>1,606.29</b>
<b>Planning Board</b>					
		<b>LEGAL ADVERTISEMENTS</b>	<b>TOTAL FOR 01-201-21-180-203</b>		<b>19.00</b>
	98678	THE TWO RIVER TIMES	PLANNING BOARD	19.00	
		<b>LEGAL SERVICES</b>	<b>TOTAL FOR 01-201-21-180-209</b>		<b>1,363.50</b>
	98789	MICHAEL B. STEIB, P.A.	AHPB - MARCH 2009	1,363.50	
		<b>Pl Bd Litigation</b>	<b>TOTAL FOR 01-201-21-180-213</b>		<b>3,235.42</b>
	98789	MICHAEL B. STEIB, P.A.	PLANNING BOARD VS KRIKORIAN	3,235.42	
					=====
		<b>TOTAL for Planning Board</b>			<b>4,617.92</b>
<b>Master Plan - Planning Bd</b>					
		<b>PL BD MASTER PLAN</b>	<b>TOTAL FOR 01-201-21-182-000</b>		<b>1,992.50</b>
	98757	PLANNING DESIGN COLLABORATIVE, LLC	ZONING ORDINANCE REVISIONS	1,022.50	
	98771	PLANNING DESIGN COLLABORATIVE, LLC	ZONING ORDINANCE REVISIONS	970.00	
					=====
		<b>TOTAL for Master Plan - Planning Bd</b>			<b>1,992.50</b>
<b>Other Insurance</b>					
		<b>LIABILITY INSURANCE</b>	<b>TOTAL FOR 01-201-23-210-396</b>		<b>6,000.00</b>
	98644	CONNER STRONG RISK CONTROL	ACCIDENT & HEALTH POLICY FOR RECREATION	6,000.00	
					=====
		<b>TOTAL for Other Insurance</b>			<b>6,000.00</b>
<b>Police Department</b>					
		<b>PROFESSIONAL DUES/TASKFORCE</b>	<b>TOTAL FOR 01-201-25-240-204</b>		<b>50.00</b>
	98573	FBI/LEEDA	2009 DUES - MEMBER #2222	50.00	
		<b>UNIFORM EXPENSE</b>	<b>TOTAL FOR 01-201-25-240-216</b>		<b>53.72</b>
	98655	MICHAEL BERGER	PANTS	19.72	
	98655	MICHAEL BERGER	POLO	18.00	
	98706	BOB'S UNIFORM SHOP, INC.	PATCHES SEWN ON - BERGER	16.00	
					=====
		<b>TOTAL for Police Department</b>			<b>103.72</b>
<b>Aid to Volunteer Fire Companies</b>					
		<b>R &amp; M EQUIPMENT</b>	<b>TOTAL FOR 01-201-25-255-214</b>		<b>1,050.00</b>
	98675	WILLIAM'S WELDING CO.	REPAIR WELDS ON LADDER 8590	1,050.00	
		<b>EQUIPMENT PURCHASES</b>	<b>TOTAL FOR 01-201-25-255-219</b>		<b>193.90</b>
	98676	A. R. COMMUNICATIONS	UNIDEN BEARCAT SCANNER	125.00	
	98676	A. R. COMMUNICATIONS	BATTERY'S FOR KENWOOD H.T. SCANNER	68.90	
					=====
		<b>TOTAL for Aid to Volunteer Fire Companies</b>			<b>1,243.90</b>
<b>Streets &amp; Roads Maintenance</b>					
		<b>PARTS/SUPPLIES/MATERIALS</b>	<b>TOTAL FOR 01-201-26-290-217</b>		<b>75.90</b>
	98624	JB LANDSCAPING, INC.	ECHO 316095053 5 LB .095 CROSSFIRE	59.95	
	98624	JB LANDSCAPING, INC.	ECHO P022006770 DUAL SPOOL	15.95	
					=====
		<b>TOTAL for Streets &amp; Roads Maintenance</b>			<b>75.90</b>
<b>Solid Waste Collection</b>					
		<b>RECYCLING-SOLID WASTE (prev #400)</b>	<b>TOTAL FOR 01-201-26-305-297</b>		<b>2,480.00</b>

**List of Bills (Department/Account Detail) - CLAIMS**

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>Solid Waste Collection</b>					
	98708	MICKEY BENOIT, INC.	APRIL BRUSH RECYCLING	2,480.00	
TOTAL for Solid Waste Collection					2,480.00
<b>Buildings &amp; Grounds</b>					
PARTS SUPPLIES ETC.			TOTAL FOR 01-201-26-310-201		281.62
	98613	SCOLES FLOORSHINE INDUSTRIES	TOILET TISSUE	65.12	
	98613	SCOLES FLOORSHINE INDUSTRIES	BLACK LINERS	27.99	
	98613	SCOLES FLOORSHINE INDUSTRIES	NATURAL LINERS	28.93	
	98613	SCOLES FLOORSHINE INDUSTRIES	ROLL TOWELS	159.58	
CONTRACTUAL			TOTAL FOR 01-201-26-310-288		1,708.30
	98395	DREW INDUSTRIAL DIVISION	CHILL HOT/ CHILL WATER 2/1/09-4/30/09	418.30	
	98719	KELLY BUILDING MAINTENANCE	MONTHLY CLEANING SERVICE 5/22-6/21/09	1,290.00	
TOTAL for Buildings & Grounds					1,989.92
<b>Vehicle Maintenance</b>					
SHOP SUPPLIES			TOTAL FOR 01-201-26-315-238		200.55
	98529	SNAP ON TOOLS	3/8 DR 5/16 SOCKET	14.55	
	98529	SNAP ON TOOLS	PUNCH 3/16	19.30	
	98529	SNAP ON TOOLS	PICK SET	39.20	
	98529	SNAP ON TOOLS	PUNCH 1/8	11.30	
	98529	SNAP ON TOOLS	PIN PUNCH	12.75	
	98529	SNAP ON TOOLS	1/4 BMM SOCKET	14.60	
	98529	SNAP ON TOOLS	1/2 1 1/16 SOCKET	33.75	
	98529	SNAP ON TOOLS	PLIER	55.10	
MISCELLANEOUS			TOTAL FOR 01-201-26-315-299		59.14
	98763	COMCAST PROCESSING CENTER	INTERNET SERVICE 5/12-6/11/09	59.14	
TOTAL for Vehicle Maintenance					259.69
<b>Recreation Services &amp; Programs</b>					
MISCELLANEOUS			TOTAL FOR 01-201-28-370-299		158.36
	98424	POWERHOUSE SIGNWORKS	GARAGE SALE SIGNS - REDATED	25.00	
	98424	POWERHOUSE SIGNWORKS	GARAGE SALE SIGNS - NEW	125.00	
	98678	THE TWO RIVER TIMES	RECREATION COMMISSION	8.36	
TOTAL for Recreation Services & Programs					158.36
<b>Environmental Comm</b>					
MISCELLANEOUS			TOTAL FOR 01-201-30-413-299		60.00
	98673	PAUL BOYD	150 COLOR COPIES - MAP OF AH TRAIL SYSTE	60.00	
TOTAL for Environmental Comm					60.00
<b>Utilities</b>					
TELEPHONE			TOTAL FOR 01-201-31-430-301		2,565.25
	98764	ATX TELECOMMUNICATIONS	ALL OTHER SERCIE 3/28-4/27/09	1,994.62	
	98770	ATX TELECOMMUNICATIONS	PHONE SERVICE 4/9-5/8/09	570.63	
NATURAL GAS - N.J.N.G.			TOTAL FOR 01-201-31-430-304		3,802.03
	98732	N.J. NATURAL GAS COMPANY	FIELD HOUSE	870.14	
	98732	N.J. NATURAL GAS COMPANY	GARAGE	982.07	
	98732	N.J. NATURAL GAS COMPANY	BLDGS & GRNDS	455.43	
	98732	N.J. NATURAL GAS COMPANY	FIRE HOUSE	574.10	
	98760	N.J. NATURAL GAS COMPANY	B&G GAS THRU MARCH 31, 2009	920.29	
TELECOMMUNICATIONS EXPENSE			TOTAL FOR 01-201-31-430-306		455.35
	98765	AVAYA, INC.	PHONE MAINTENANCE 4/3-5/2/09	455.35	

**List of Bills (Department/Account Detail) - CLAIMS**

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>Utilities</b>					
TOTAL for Utilities					6,822.63
<b>STREET LIGHTING</b>					
STREET LIGHTING EXPENSE		TOTAL FOR 01-201-31-435-299			2,959.34
	98768	JCP&L	ELECTRIC THRU 5/5/09	1,216.11	
	98768	JCP&L	ELECTRIC THRU 5/5/09	1,743.23	
TOTAL for STREET LIGHTING					2,959.34
<b>Landfill Fees</b>					
LANDFILL FEES		TOTAL FOR 01-201-32-465-000			9,330.44
	98731	MARPAL COMPANY	DUMP FEES	472.41	
	98788	MARPAL COMPANY	DUMP FEES 5/2/09 AND 5/9/09	975.27	
	98730	MONMOUTH COUNTY TREASURER	USE OF RECLAMATION CENTER THRU 4/30/09	7,882.76	
TOTAL for Landfill Fees					9,330.44
<b>PERS</b>					
P.E.R.S. O/S CAP		TOTAL FOR 01-201-36-471-301			1,763.06
	98787	PENSION ADJUSTMENT FUND	BILLING FOR CHAPTER 121 - LATE ENROLLMEN	1,763.06	
TOTAL for PERS					1,763.06
<b>10547700</b>					
RECYCLING TAX		TOTAL FOR 01-201-36-477-305			337.35
	98730	MONMOUTH COUNTY TREASURER	TAX	337.35	
TOTAL for 10547700					337.35
<b>Municipal Court</b>					
INTERPRETORS		TOTAL FOR 01-201-43-490-286			565.00
	98761	MAYDA LYON	INTERPRETER SERVICES - 5/11/09	360.00	
	98761	MAYDA LYON	TRAVEL FEE - SCHOEFFLER	75.00	
	98796	SUZANA MARTINEZ	SPANISH/PORTUGUESE INTERPRETER 5/18/09	130.00	
COURT ASSISTANCE		TOTAL FOR 01-201-43-490-288			287.50
	98762	KATHLEEN A. CHIEFFO	COURT ASSISTANCE 5/11/09	162.50	
	98797	KATHLEEN A. CHIEFFO	5/18/09 COURT ASSISTANCE	125.00	
TOTAL for Municipal Court					852.50
<b>Interest on Bonds</b>					
INTEREST ON BONDS		TOTAL FOR 01-201-45-930-301			110,237.69
	98753	THE BANK OF NEW YORK	MCIA POOLED GOV'T BONDS, SERIES 2006 - C	110,237.69	
TOTAL for Interest on Bonds					110,237.69

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>FEDERAL AND STATE GRANTS</b>					
<b>10570100</b>					
			TOTAL FOR 02-213-40-701-000		280.00
		RECYCLING TONNAGE GRANT			
		98584 GATEWAY PRESS, LLC	FALL LEAF/BRUSH SCHEDULE	280.00	=====
		TOTAL for 10570100			280.00
<b>10570800</b>					
			TOTAL FOR 02-213-40-708-003		696.00
		CLEAN SHORES - MISC			
		98645 ATLANTIC BAGEL CO.	BEACH CLEAN UP MEALS 4/16/09	232.00	
		98645 ATLANTIC BAGEL CO.	BEACH CLEAN UP MEALS 4/17/09	232.00	
		98645 ATLANTIC BAGEL CO.	BEACH CLEAN UP MEALS 4/20/09	232.00	=====
		TOTAL for 10570800			696.00
<b>10571000</b>					
			TOTAL FOR 02-213-40-710-000		4.18
		ENVIRONMENTAL SERVICES GRANT			
		98678 THE TWO RIVER TIMES	ENVIRONMENTAL COMMISSION	4.18	=====
		TOTAL for 10571000			4.18

**List of Bills (Department/Account Detail) - CLAIMS**

Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>CAPITAL FUND</b>					
<b>10590700</b>					
			TOTAL FOR 04-215-55-907-004		7,585.00
	#12-06	Bayshore Trail/Wagner Creek			
	98642	POWERHOUSE SIGNWORKS	SIGNS FOR BAYSHORE TRAIL - USE CAUTION	60.00	
	96486	BIRDSALL ENGINEERING, INC.	PARTIAL PAYMENT	7,525.00	
					=====
		<b>TOTAL for 10590700</b>			<b>7,585.00</b>



**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>TRUST - OTHER</b>					
<b>10585100</b>					
		<i>DEVELOPERS DEPOSITS</i>			
			<b>TOTAL FOR 12-271-55-851-000</b>		<b>486.00</b>
	98789	MICHAEL B. STEIB, P.A.	PB08-14 LOGAN	135.00	
	98789	MICHAEL B. STEIB, P.A.	PB09-03 MCALLISTER	121.50	
	98789	MICHAEL B. STEIB, P.A.	PB08-04 PASILIS	27.00	
	98789	MICHAEL B. STEIB, P.A.	PB09-05 SENZ	121.50	
	98789	MICHAEL B. STEIB, P.A.	PB06-02 SFC ENTERPRISES	81.00	
					=====
		<b>TOTAL for 10585100</b>			<b>486.00</b>
<b>10585200</b>					
		<i>SECURITY DEPOSIT (Rent Field House)</i>			
			<b>TOTAL FOR 12-271-55-852-014</b>		<b>100.00</b>
	98707	KELLY VEGELIS	REFUND SECURITY DEPOSIT	100.00	
					=====
		<b>TOTAL for 10585200</b>			<b>100.00</b>

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>WATER/SEWER OPERATING FUND</b>					
<b>10510100</b>					
<i>REPAIRS AND MAINTENANCE</i>			TOTAL FOR 28-201-20-101-253		493.08
	98291	ACE AUTO TOP	SEAT REPAIR	75.00	
	98291	ACE AUTO TOP	COVER	110.00	
	98585	LOK DOC LOCKSMITH	US LOCK 2 KNOBSET FRONT OFFICE	84.00	
	98585	LOK DOC LOCKSMITH	LABOR & MATERIALS MAIN DOOR & REAR DOOR	60.00	
	98726	NAYLORS INC.	BATTERY FOR OBSERVATORY PLACE MOTOR	132.78	
	98726	NAYLORS INC.	WIPER BLADE	17.08	
	98726	NAYLORS INC.	MOTOR TUNE-UP ADDITIVE	15.98	
	98726	NAYLORS INC.	LESS CREDIT	-1.76	
<i>CHEMICALS</i>			TOTAL FOR 28-201-20-101-255		1,604.50
	98687	GEORGE S. COYNE CHEMICAL CO.	50 LB BAGS OF HYDRATED LIME	712.50	
	98687	GEORGE S. COYNE CHEMICAL CO.	50 LB BAG OF ALUMINUM SULFATE	892.00	
<i>UTILITIES</i>			TOTAL FOR 28-201-20-101-264		709.24
	98764	ATX TELECOMMUNICATIONS	W/S PHONE SERVICE 3/28-4/27/09	183.14	
	98768	JCP&L	W/S ELECTRIC THRU 5/5/09	123.47	
	98732	N.J. NATURAL GAS COMPANY	W/S	402.63	
<i>MISCELLANEOUS</i>			TOTAL FOR 28-201-20-101-299		38.50
	98718	ONE CALL SYSTEMS, INC.	ONE CALL MESSAGES	36.30	
	98718	ONE CALL SYSTEMS, INC.	SECONDARY LINK MESSAGE	2.20	
TOTAL for 10510100					=====
					2,845.32
<hr/>					
<b>10510400</b>					
<i>TREATMENTS FEES</i>			TOTAL FOR 28-201-20-104-299		70,774.00
	98766	ATLANTIC HIGHLANDS/HIGHLANDS	SEWER FEES JUNE 2009	70,774.00	
TOTAL for 10510400					=====
					70,774.00
<hr/>					
<b>10592800</b>					
<i>PRINCIPAL ON LOANS</i>			TOTAL FOR 28-201-45-928-301		15,243.18
	98754	CAPMARK FINANCE INC.	W/S LOAN PRICE	15,243.18	
TOTAL for 10592800					=====
					15,243.18
<hr/>					
<b>Interest on Bonds</b>					
<i>INTEREST ON BONDS</i>			TOTAL FOR 28-201-45-930-301		37,815.14
	98753	THE BANK OF NEW YORK	MCIA POOLED GOV'T BONDS, SERIES 2006 - W	37,815.14	
TOTAL for Interest on Bonds					=====
					37,815.14
<hr/>					
<b>10593800</b>					
<i>INTEREST ON LOANS</i>			TOTAL FOR 28-201-45-938-301		14,281.88
	98754	CAPMARK FINANCE INC.	W/S INTEREST	14,281.88	
TOTAL for 10593800					=====
					14,281.88

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>WATER/SEWER UTILITY CAPITAL</b>					
<b>10556100</b>					
#02-2008 Water Main Replacement			TOTAL FOR 29-215-55-561-011		36,122.80
	97553	A.C. SCHULTES, INC.	PAYMENT CERTIFICATION #5	36,122.80	=====
		TOTAL for 10556100			36,122.80

**List of Bills (Department/Account Detail) - CLAIMS**  
 Meeting Date: 05/27/2009 For bills from 05/14/2009 to 05/21/2009

Account	PO #	Vendor	Description	Payment	Account Total
<b>HARBOR OPERATING FUND</b>					
<b>10510100</b>					
<i>HARBOR SW</i>			TOTAL FOR 30-201-20-101-111		2,000.00
	98713	GIORDANO HALLERAN & CIESLA, PA	FIXED SALARY - LEGAL - 3/2009	1,000.00	
	98714	GIORDANO HALLERAN & CIESLA, PA	FIXED SALARY - LEGAL - 4/2009	1,000.00	
<i>LEGAL ADVERTISEMENTS</i>			TOTAL FOR 30-201-20-101-203		7.22
	98692	THE TWO RIVER TIMES	SPECIAL MEETING NOTICE	7.22	
<i>TOOLS SUPPLIES &amp; MATERIALS</i>			TOTAL FOR 30-201-20-101-217		275.42
	98539	ATLANTIC MARINE SUPPLY	SHACKLES/SWIVELS	131.94	
	98591	ATLANTIC MARINE SUPPLY	ELECTRIC CORD HOLDER	9.95	
	98591	ATLANTIC MARINE SUPPLY	MISC SUPPLIES	11.59	
	98591	ATLANTIC MARINE SUPPLY	MISC SUPPLIES	28.99	
	98695	ATLANTIC MARINE SUPPLY	MISC SUPPLIES	92.95	
<i>REPAIRS AND MAINTENANCE</i>			TOTAL FOR 30-201-20-101-253		1,920.00
	98629	ON-SITE TIRE SERVICE, INC.	16.9X24 REAR TIRE'S	870.00	
	98629	ON-SITE TIRE SERVICE, INC.	DISMOUNT & MOUNT (5 HRS)	350.00	
	98701	OSWALD ENTERPRISES, INC.	JET VAC CLEANING OF WET WELL	700.00	
					=====
		<b>TOTAL for 10510100</b>			<b>4,202.64</b>
<hr/>					
<b>10510300</b>					
<i>LIABILITY INSURANCE - OTHER</i>			TOTAL FOR 30-201-20-103-304		6,285.00
	98758	BITTNER & CARTON INS. AGENCY	MOLL RENEWAL - APRIL 2009 INSTALLMENT	6,285.00	
					=====
		<b>TOTAL for 10510300</b>			<b>6,285.00</b>
<hr/>					
<b>10510400</b>					
<i>GASOLINE EXPENSE</i>			TOTAL FOR 30-201-20-104-201		46,216.41
	98702	ALLIED OIL COMPANY, L.L.C.	4000 GALS UNLEADED GASOLINE	8,006.00	
	98702	ALLIED OIL COMPANY, L.L.C.	1600.5 GALS LOW SULFUR DIESEL	2,607.21	
	98702	ALLIED OIL COMPANY, L.L.C.	400.1 GALS LOW SULFUR DIESEL	651.76	
	98756	ALLIED OIL COMPANY, L.L.C.	3500.3 GALS LOW SULFUR DIESEL	5,961.01	
	98756	ALLIED OIL COMPANY, L.L.C.	3005.8 GALS LOW SULFUR DIESEL	5,118.88	
	98759	ALLIED OIL COMPANY, L.L.C.	1001.3 GALS LOW SULFUR DIESEL	1,682.68	
	98759	ALLIED OIL COMPANY, L.L.C.	1000.7 GALS LOW SULFUR DIESEL	1,681.68	
	98785	ALLIED OIL COMPANY, L.L.C.	4495.5 GALS UNLEADED GASOLINE	9,514.72	
	98785	ALLIED OIL COMPANY, L.L.C.	6510.2 GALS LOW SULFUR DIESEL	10,992.47	
					=====
		<b>TOTAL for 10510400</b>			<b>46,216.41</b>
<hr/>					
<b>Interest on Bonds</b>					
<i>INTEREST ON BONDS</i>			TOTAL FOR 30-201-45-930-301		36,437.18
	98753	THE BANK OF NEW YORK	MCIA POOLED GOV'T BONDS, SERIEW 2006 - H	36,437.18	
					=====
		<b>TOTAL for Interest on Bonds</b>			<b>36,437.18</b>



# RESOLUTION 099-2009

## OPPOSING GOVERNOR'S PLANS TO TRANSFER FUNDS OUT OF THE EMT TRAINING FUND

WHEREAS, the Atlantic Highlands First Aid Squad is a public service association comprised of volunteer members whose purpose is to provide pre-hospital emergency care to the sick and injured in our community.

WHEREAS, the Emergency Medical Technician ("EMT") Training Fund was created by New Jersey P.L. 1992, chapter 143 (N.J.S.A. 26:2K-54 et seq.) as a dedicated, non-lapsing, revolving fund, established to reimburse any private agency, organization or entity which is certified by the Commissioner of Health and Senior Services to provide training and testing for volunteer ambulance, first aid and rescue squad personnel who are seeking EMT certification and/or recertification. The Fund has allowed thousands of Volunteer EMTs to earn and maintain their EMT certification without incurring out-of-pocket personal expense and without the need for funding from their volunteer squad or municipality; and

WHEREAS, the EMT Training Fund is not supported through the use of any tax money, but rather is supported by a \$0.50 surcharge on each fine, penalty and forfeiture imposed and collected by the State of New Jersey for motor vehicle or traffic violations and is currently running at approximately a \$ 1,000,000 deficit per year; and

WHEREAS, on April 23, 2009 the Department of Health and Senior Services Office of OEMS informed the New Jersey State First Aid Council of Governor Corzine's intention to redirect \$4,000,000 from the dedicated EMT Training Fund to the general treasury of the State of New Jersey leaving only a proposed \$400,000 balance in the Fund; and,

WHEREAS, a \$400,000 balance in the EMT Training Fund is inadequate to meet the annual training needs of the Volunteer EMTs of this State and will result in severe cut-backs of state-paid EMT training for New Jersey's EMS Volunteer Community;

NOW, THEREFORE, BE IT RESOLVED, that Mayor and Council of the Borough of Atlantic Highlands, in the County of Monmouth State of New Jersey formally opposes Governor Corzine's plan to transfer money from the EMT Training Fund, because of the detrimental effect this will have on the availability of EMT training for New Jersey's Volunteer EMS Community.

BE IT FURTHER RESOLVED, that the Borough of Atlantic Highlands opposes the intended re-appropriation of monies from the dedicated EMT Training Fund, which would shift the cost of Volunteer EMT Training to the Atlantic Highlands First Aid Squad, the municipality and its residents. During this time of economic hardship when squads continue to see a decrease in donations, contributions, and a short fall in fund raising it is fundamentally unfair to ask those who already volunteer their time to attend training courses and answer emergency calls to pay for their own training when they already provide so much to their community. This will significantly impact the recruitment of new members as well as retention of existing members since many will not be able to pay for their training.

FURTHER RESOLVED, that the Governor and the Legislature of the State of New Jersey are requested not to remove any money from the EMT Training Fund and to return any money to the Fund that has already been removed for purposes other than those specified in New Jersey P.L. 1992, chapter 143.

This Resolution was offered and moved by Council member Hoffmann, seconded by Council member Archibald and adopted on May 27, 2009 as follows:

AYES: Council members Archibald, Dellosso, Doyle, Fligor, Hoffmann and Sutton

NAYS:

ABSTAIN:

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009. WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

Dwayne M. Harris, RMC  
Municipal Clerk



# ORDINANCE 11-2009

## BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$7,000,000 FOR VARIOUS IMPROVEMENTS FOR AND BY THE BOROUGH OF ATLANTIC HIGHLANDS IN THE COUNTY OF MONMOUTH, NEW JERSEY AND, AUTHORIZING THE ISSUANCE OF \$6,650,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ATLANTIC HIGHLANDS, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

### SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Atlantic Highlands, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$7,000,000, such sum includes the sum of \$350,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 20A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

### SECTION 2:

In order to finance the cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$6,650,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$6,650,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

### SECTION 3:

(a) The Improvements authorized and the purpose for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvements	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Period of Usefulness
Various improvements to the Municipal Building and addition to the library and including all work or materials necessary therefor or incidental thereto and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	\$6,000,000	\$5,700,000	20
Improvements to various roadways in the Borough, including but not limited to Second Avenue, Sixth Avenue, Cameron Circle, Avenue C, Ballingswood Road, East Highland Avenue drainage; including, as	1,000,000	950,000	20

required, roadway excavation, concrete curbing, milling and drainage structures, and including all work or materials necessary therefor or incidental thereto, and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.

TOTAL	\$7,000,000	\$6,650,000
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$6,650,000.

(c) The estimated cost of the Improvements is \$7,000,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and

Notes provided in this bond ordinance by \$6,650,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,500,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$6,650,000.

SECTION 10:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council member Fligor introduced this Ordinance and, after First Reading, moved for approval. It was seconded by Council member Delloso and approved by the following vote.

AYES: Council members Archibald, Delloso, Doyle, Fligor, Hoffmann and Sutton  
NAYS: NONE  
ABSTAIN: NONE  
ABSENT: NONE

The Second Reading, Public Hearing and possible adoption is scheduled for June 10, 2009.

I, Dwayne M. Harris, Municipal Clerk of the Borough of Atlantic Highlands, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Governing Body at its meeting held May 27, 2009.

WITNESS my hand and the Seal of the Borough of Atlantic Highlands this 28th day of May 2009.

  
\_\_\_\_\_  
Dwayne M. Harris, RMC